

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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| WILLIAM CLOYD v. DELAWARE COUNTY, ET AL. | CIVIL ACTION NO. 14-4833 |
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ORDER

And NOW, this 23rd day of March 2015, for the reasons stated in the foregoing memorandum, upon consideration of Defendants Delaware County and Community Education Centers Motion to Dismiss Plaintiff's Amended Complaint (ECF 13), and Motion of Defendants Dr. Ronal Phillips, Holly Craig, CRNP and Kelly Mullan, PA-C to Dismiss Plaintiff's Amended Complaint (ECF 14), and all responses and replies thereto, it is hereby ORDERED that:

1. The Motion to Dismiss of Defendants Delaware County and Community Education Centers ("CEC") is GRANTED. Plaintiff's claims against Delaware County and CEC based on a municipal policy or custom of providing inadequate medical care are hereby DISMISSED WITHOUT PREJUDICE, with leave to amend. Plaintiff's claims against Delaware County and CEC based on failure to train and Plaintiff's request for punitive damages are DISMISSED WITH PREJUDICE.
2. The Motion to Dismiss of Defendants Dr. Phillips, Ms. Craig, and Ms. Mullan is GRANTED. Plaintiff's claims against Dr. Phillips, Ms. Craig, and Ms. Mullan under 42 U.S.C. § 1983 are DISMISSED WTHOUT PREJUDICE, with leave to amend. Plaintiff's claim against Dr. Phillips for negligence in violation of Pennsylvania state law is DISMISSED WITHOUT PREJUDICE, with leave to amend.

BY THE COURT:

s/Michael M. Baylson

Michael M. Baylson, U.S.D.J.